

FILED  
COURT OF APPEALS  
DIVISION II

2023 JAN -9 PM 3:12

STATE OF WASHINGTON

~~KT~~  
DEPUTY

To all concerned, copies of documents attached have been sent to, My Council, Washington State Court of Appeals and to the Prosecutor.

  
H.E. Sanford

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

FILED  
COURT OF APPEALS  
DIVISION II

2023 JAN -9 PM 3:01

STATE OF WASHINGTON )

Respondent, )

v. )

Howard E. Sanford  
(your name) )

Appellant. )

STATE OF WASHINGTON

BY [Signature]  
DEPUTY

No. 57242-7

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, Howard E. Sanford, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

My assigned counsel told me that he could not use information I gave him about my daughters actions or state of mind. He said these were things best handled within the family. He said I should keep my mouth shut and talk to no one. The fact that she attacked me twice, once as some attempt at sex and the other with a knife when she said she was a grown woman and would do what she wants. I feel this is quite relevant and prosecutable.

Additional Ground 2

I was accused of having sex with my daughter on a daily basis. My doctor began giving me Viagra and other drugs to assist in our sex life back in 2007. My Dad gave me some of his old ones in 2006. My family health doctor prescribed Viagra for me in 2011. The last time my wife and I attempted sex was Christmas time 2012. You would think my counsel would have pointed this out

If there are additional grounds, a brief summary is attached to this statement. Attached 4 pages

Date: Jan 5, 2023

Signature: [Signature]

①

During the preliminary choosing of possible jurors for my case there was one man interviewed that stated He once had a good friend that was accused of like charges and that man never had a chance. The court found him guilty and his friend killed himself. He stated to the court 'Now I have no friend and I don't want to have any part in destroying this mans life.' He was excused from the room. the Judge said 'That sounded like contempt of court to me'. In my mind I said 'Is that all you got from what he said?' I understood right then my chances. I wish that man would have stayed along with my other peers that were sought out and dismissed. There were a few that knew the deck was stacked against me especially with the MeToo state of mind in America. My counsel was in line with the DA's choices like he was her assistant.

②

I remember the DA breaking down in tears during juror selection due to a story by one possible juror. I told my counsel I felt this person was not a good choice for us, he said not to worry the man was too far down the

List. I saw two problems here, one was the emotional state of the DA, she should not have prosecuted my case. The other was my counsel's lack of care.

③

The DA made it clear that she had First hand experience with sexual assault when she asked my daughter about oral sex. My daughter claimed it was a daily occurrence. The DA made a point of remembering the smell of ejaculation to which my daughter claimed to have no memory. That in itself is hardly possible as anyone who has ever been in close contact with semen knows the smell and once again the DA shows her personal experience with sexual assault from her dramatic reference.

④

One of the DA's witnesses, a medical expert, claimed that any physical damage or scarring would heal over time and leave no evidence, not even my counsel saw the fallacy in this. Every point she made the jury believed because she was an expert. I believe science proved a long time ago that her opinion was false.

⑤ I don't know if this is relevant but it does bother me. After completely botching my defense as we sat before the judge at my sentencing my counsel got up and stood beside me then bent down and ~~with~~ whispered 'Good Luck' as he turned away to leave. It was one of those out of time moments and the DA had a grin on her face then the judge said 'Because I can I am going to give you the Max'. I wasn't because I deserved it, it was because he could. What does that mean?

⑥ The question of a psych eval of my daughter was brought up but nevered occurred. I believe that to be rather important and quite a loss to my defense. I wonder who stopped that and why my counsel let it go.

⑦ At the very beginning my daughter stated in court that all she wanted was to become an 'Emancipated Minor'. Her counsel immediately covered the mic and whispered in my daughters ear while looking at me and the others in her vicinity. No one seemed to care. Someone was directing her case from

the beginning, there were a few slips,  
just like the smell and sex every day  
with a sixty year old man.

⑧ When it all came to a head the DA offered  
a five year sentence, out in 3½ if I would  
change my plea to guilty. I saw it as proof  
they had no case. My counsel, once again,  
proved his usefulness by not informing me that  
this was my only choice. How would I know,  
I work for a living. I would be out now.  
I believe they call that ineffective counsel.

⑨